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WILMINGTON JOURNAL

Wilmington Journal.

VOL. 27.

WILMINGTON, N. C., FRIDAY MORNING, JULY 21, 1871

NO. 24

STATE NEWS.

Newbern has ripe grapes.

Thermometer 80 up in the mountains.

Judge Mitchell, of the 10th Judicial District, strongly favors Convention.

Big temperance demonstration in Raleigh to-morrow.

Considerable building going on in Raleigh.

J. W. Holcomb, Esq., is the Convention candidate in Yadkin county.

The colored Methodist of Asheville are building themselves a new church.

Bountiful rains and promising crops in Halifax.

Turtle soup is a standing item with the Raleigh local.

It is estimated that there are 11,184 Masons in North Carolina.

Tarboro' is organizing a base ball club.

Raleigh has organized its Lodge of K. of P.

Raleigh had a base ball match game yesterday afternoon.

Raleigh has had a good rain. First in six weeks.

The oat crop in Buncombe county is almost an entire failure.

Asheville is to have a Building and Loan Association.

Charlotte has begun to shoot its spare dogs.

The Biblical Recorder, of Raleigh, has finished its 35th volume.

Rail communication between Raleigh and Fayetteville is now complete.

Wesley Pittman was badly ent by James Cormick, both colored, in Edgecombe, on last Sunday.

The Salem Press tells how a valuable horse (or mare) owned in that neighborhood committed suicide last Tuesday.

Dr. H. E. T. Manning, of Weldon, who has lately been on a European tour, has returned home.

Mr. Arthur Daniel, a highly esteemed citizen of Weldon, died rather suddenly on Wednesday last.

The Radicals of Stokes county met in Convention recently and refused to make any nomination for the State Convention.

The Sentinel has been shown a corn field peat-gold, grown in Raleigh, 2 feet 2 inches long.

The revenue authorities in the western part of the State are vigorously railing on the distilleries.

A man in Leakeville, it is said, has invented a boat that will sail up stream by the action of the current.

Ex-President Davis is soon to visit the Ocean House, at Beaufort, on invitation of Mr. S. R. Streets, the proprietor.

The Grand Lodge of the I. O. O. F. of this State meets in Raleigh next Wednesday.

The first through freight train from Fayetteville, bound north over the Raleigh & Gaston Railroad, passed Raleigh on Friday last.

Sheriff B. S. Buchanan, of Jackson, says the Raleigh Telegram, has been jailed in Raleigh charged with embezzlement of taxes. No particulars.

The commission to examine into frauds and corruptions, appointed by the present General Assembly, last session, consisting of Attorney General Ship, Gen. J. G. Martin, and J. B. Batchelor, Esq., is now in session in Raleigh.

The news from Pitt and Beaufort counties, and from other portions of Eastern Carolina, is in effect that the cotton and corn crops are the finest since the war.

The Patriot says a Mr. Lowe, of Guilford, has invented a process of drying fruit, which gives it a very bright color and prevents the worm from getting in it afterwards. It is patented.

Henderson Young, the negro who was convicted at the last term of the Mecklenburg county Superior Court of the murder of Mr. Edward Smith, of that county, was hung in Charlotte on Friday.

No little interest is manifested in a locality in Charlotte, by those who live near a public well, from which a part of an arm and several pieces of the flesh of an infant have been taken.

The Tarboro' Southerner records the demise, in Edgecombe county, on last Sunday, of three colored children, two boys and a girl. One of them fell in the water and the others were drowned with him, in the attempt to save him.

Rev. Dr. C. V. Vass, of Newbern, and Rev. Dr. T. H. Pritchard, Rev. H. T. Hudson and Rev. J. V. McNamara, of Raleigh, are the orators on the occasion of the grand temperance demonstration to take place in Raleigh on Monday, July 17.

It is proposed to have a grand supper at the Tarboro' House, in Raleigh, on next Thursday evening, on the occasion of the Annual Session of the Grand Lodge I. O. O. F., which meets next Wednesday.

In speaking of the meeting of the Stockholders of the N. C. R. R. held in Greensboro' on Thursday, the Raleigh Telegram says: It has been rumored on our streets for the past day or so, that more injunctions have been issued and will be served upon the Governor's appointees and State Proxy, and it is anticipated by some that this injunction will dissolve the meeting of the Stockholders.

The Rutherford Vindicator has been informed that many Democratic citizens have been arrested for violation of the revenue laws, while their Radical neighbors known to be guilty of the same have not been molested, or if arrested have gotten off by compromising with the revenue officials.

One hundred and twenty-nine households in this county are to be sold by the Sheriff for the taxes, on the 5th day of August next.

The present Constitution protects the "poor man's homestead" with a vengeance.—Lumberton Robesonian.

We regret to learn, says the Newbern Times, that a serious fire occurred on the Egypt plantation about 20 miles from the city last Saturday afternoon, which resulted in the destruction of a large three story house, grist mill, cotton screw, out houses and dwellings, involving a loss of about \$3,500. No insurance, which falls heavily on the owners, Messrs. Kehoe & Bostick. The fire was accidental, and owing to the scarcity of water, the fire could not be stayed.

The Weldon News modestly estimates the number of the newly enfranchised expected at the meeting held yesterday, at 22,119.

The Weldon News learns that the gins, with all its contents, belonging to Mr. H. B. Whitmore, located a short distance below the town of Scotland Neck in this county, was totally destroyed by fire on Monday night—the work of an incendiary. No insurance.

At a meeting of the Directors of the Eastern Division of the Western North Carolina Railroad, held at Hickory Tavern, last Monday, an agent of the Pennsylvania Central Railroad who was present made a bid for the control, but it was rejected.

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The Raleigh Telegram learns that the dwelling house, grist mill, cotton screw and out houses on Egypt Plantation, Gravette county, about twenty miles from Newbern, the property of Keech & Boyer, were destroyed by fire a few days since—loss about \$3,500. No insurance. Fire accidental.

The Charlotte Observer says that Cleavland Mineral Springs is a gay place now. They have a ten pin alley, a fine band and plenty of good water. There were several distinguished visitors there a few days ago: Judge Ship, Hon. T. J. Jarvis, and Hon. Thos. S. Ashe.

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A PROMINENT government official recently wrote to a friend in New York, enquiring as to the position, financial and otherwise, of a certain resident of that city.— He received the following reply:

"I am happy to inform you that Mr. _____ stands at the very top of respectability here. He is a fast horse, a New York Judge, and intended to be the first railroad he saw lying around."

A fair gauge of Radical respectability—especially at the South! Littlefield stood at the very summit of such respectability. He belonged to the *creme de la creme*—He owned several fast horses, two or three Judges, and stole the bonds of various and sundry railroads. A. J. Jones was a pattern of respectability, judged by the same standard, and Lafin, Estes, Swenson and others were at the top of the pot—the veriest aristocracy. During the days when the Ring's respectability was at its maximum, there were men wandering about Raleigh so "respectable" that they would have stolen the Capitol building itself had it not been a rather ponderous fixture!

In older times royal "respectability" was not complete unless the monarch had the Court's appendage of a *fool*. Now, *loyal* "respectability" is not con-nate without the appendage of a *Judge*. However, perhaps, it is only representing itself, for, in these degenerate days, there is not, in a majority of cases, a material difference between the two characters!

Governor Caldwell and the Robeson Outlaws.

We wish to obtain the ear of His Excellency for a moment. He has said, or authorized his organ to say for him, that he desires to be informed of the real condition and true sentiments of the people of the State in order that he may labor for their welfare and best interests, as it is his duty as well as his wish to serve them without regard to personal or political considerations. If we can claim your attention, Governor, we may be able to point out to you wherein you can serve your fellow-citizens. But we fear that as the noise of the assassins' guns and the groans of their wounded and dying victims could not withhold your attention from the partisan appeals of Judge Logan, or the distorted statements of Mr. Justice, or the falsehoods of old Biggerstaff, little that we can say now will withdraw you from your caucuses with Smith, Shaver and Myers to keep possession of the North Carolina Railroad, or with Ackerman, Pool, Phillips and the Radical Judges in the conspiracy you are now concocting against the people of North Carolina. But we shall, at least, do what we can.

Then, Governor Caldwell, a band of murderers is pillaging and laying waste a whole county and murdering its best citizens. These lawless men have opened the county jail and released their imprisoned comrades; they have, by day and night, murdered and robbed and burnt without let or hindrance. Only this week they have murdered two young men and wounded a third, the very flower of the country, in sight of their horrified mother and sister, almost upon the line of one of the railroads of the State. They threaten others by name, and say they are determined to burn and pillage and destroy until the officers of the law—your officers, Governor—release certain prisoners now held for complicity in their

crimes.

New Hanover and the Convention.

Having put forward their candidates, the friends of Convention in New Hanover must summon up all their energies and devote their time to further the cause in which these candidates have embarked. It is not more their cause than ours. There is no citizen, however humble, of whatever race or condition, who has not a direct personal interest in the result of the election. Employers and employees, capitalists and laborers, are alike vitally concerned in altering the fundamental law of the State. There has been no prosperity under the present Constitution and there can be none. Taxes are growing from bad to worse—business of all kinds is stagnant, and enterprises of every description are paralyzed. It is not the "times;" it is not disorganized labor; it is not from a want of energy. The expenses of the government, resulting from wanton extravagance, from criminal impotence, from flagrant corruptions, are eating up the substance of the people and fast bringing them to bankruptcy and poverty. There must be a change—there must be a speedy reformation, or all is lost.

But, Governor, have you made any effort in behalf of these suffering people?—You have excited the people of the whole nation by your proclamations against the Ku-Klux. You have had Federal soldiers sent to different portions of the State.—Your Judges have written and appealed to you for aid and you have heeded their petitions. But the offenders, or supposed offenders, have been you political opponents. Are these murderers to go unpunished and permitted to commit their depredations upon life and property because they and their comrades and sympathizers voted for you and Mr. Phillips, and will vote against Convention?

You may think, Governor, that we are giving a political turn to these troubles not warranted by the facts. We are at least letting you know the feelings of the people, which you say you want to learn.

They believe, and they have the right to believe, that if the victims were your political friends and the murderers your political opponents that you would arouse the prejudices of the Northern masses, that the President would pause in his round of gayeties at Long Branch to send word to the Secretary of War to order troops to protect the loyal citizens of North Carolina. Yes, Judge Russell, probably, might neglect his canvas for the Convention long enough to run on to Washington to testify before the Outrage Committee.

You may continue to neglect these people. The blood of the victims of these negro murderers may cry aloud for vengeance. Unprotected citizens may appeal in vain for protection. But, Governor, you cannot escape your responsibility. Your plottings may contribute to lengthen out an ignoble official existence and a disreputable party supremacy. But the people will curse you, and the disgrace of your conduct will attach to you and yours to the latest generation. You are the Gov-

ernor of North Carolina. You ought to have seen the debt of their State piled up, all towering above them like a mighty mountain, it now threatens to topple upon them and crush them beneath its mighty weight. They have seen heavy burdens of taxation imposed upon them to build up great lines of internal improvements only to see their bonds stolen, their roads mortgaged, and all work upon them stopped.

They have seen the Constitution of their fathers pierced through by the sword, scattered to the four winds of heaven, and another made for them by strangers, in no manner suited to their wants, forced upon them by the bayonet and fraud. They have seen their treasury emptied of their hard earnings to support an army of ruffians, unlawfully organized and employed in wicked and unlawful purposes. Burning with indignation, they have seen a girdle of bayonets keep vigil over their incarcerated fellow-citizens, while hasty preparations were going on to execute them by a military court unlawfully appointed for that purpose. In many instances they have seen their judiciary prostituted by drunken, corrupt and imbecile Judges. They have seen their Judges stand still while crime in high places and dark places has been committed. They have seen the honor of their State assailed and themselves basely mislaid by those whose sworn duty it was to uphold honor and defend her citizens. Yet amid all of these trials the great body of our people have remained quiet, patient, looking forward to the time when they could correct these evils peaceably but sternly at the ballot box. Thank God that time is near at hand. Who will undertake to pass the bill still further? Let him who does rescue the causes of a taxed-burdened and an outraged people.

It will be seen that Dr. W. T. ENNETT has been nominated for the Legislature to fill the vacancy occasioned by the resignation of G. Z. French. Dr. ENNETT is well known to the people of this county as a gentleman of integrity, of intelligence, identified in sympathy and interest with them. His election would be hailed with pleasure by every good citizen of New Hanover.

For the Legislature.

We have the pleasure of announcing Colonel ROBERT H. COWAN and DANIEL SHAW, E. Q. as the Convention candidates for New Hanover. We shall have more to say of them hereafter. We are glad that the Executive Committee have organized for the campaign, and have given us candidates so worthy of our support. With these nominations a vigorous campaign of the county is also announced. This is right. The people want to be advised of the importance of the pending election, and New Hanover has her duty to perform in it. With such candidates and in such a cause she will not fail.

Ben Sawyer, a negro murderer, who was hanged at Evansville, Indiana, on the 26th inst., received a letter from a fellow countryman, who sent him a philosophical and clear view of Ben's case and exhorted him to pray and be forgiv. "I stand," said he, "this day a rededicated Christian and a man of God. I have been a born again sinner, but I would be born again. I would be in hell to day." This gives suggestion of a new and interesting means of regeneration which one may hope will not become fashionable.—Exchange.

At all events, it gives suggestion of a new mode of consolidation, which has its parallel every day among certain of the Radical leaders of the South,—we mean of that class, who once had social position and commanded respect, but who have forfeited both by throwing themselves into the filthy embrace of negro Radicals. Having "murderer" conscience, principle, self-respect and the esteem of neighbors and friends, many of them paraphrase the convict's philosophy, thusly: "I have made money—I have got a fat office. I believe, if I had not prostituted my talents and character, turned against my own people, and "joined" the Radicals, I would be as imperious, to-day, as my honest neighbors!" Just so, and the political "Ben Sawyers" are welcome to the consolidation.

Col. W. L. STEELE.

We are glad to meet in our city Colonel W. L. STEELE, of Richmond county. Col. STEELE is in fine health and first rate trim for the campaign. He met Colonel DOCKERY at Rockingham last Saturday, and is to reply to General DOCKERY at Laurinburg on next Sunday.

Col. STEELE is not a candidate for Convention, but he is one of those positive men who cannot stand back in the shade when the interests of the people are at issue. He will labor up to the election, and those who know him can well appreciate the telling blows he will make for Convention. Col. STEELE yields a formidable cimeter and its polished blade will make fearful havoc in the ranks of his opponents.

Have you not heard of these things?—They may not lie as close to your heart as the ravings of those cowardly fanatics, Judge Logan and Mr. Justice. The blood of the best citizens of Robeson may not move you so much as the stripes upon the face of one of the railroads of the State. They threaten others by name, and say they are determined to burn and pillage and destroy until the officers of the law—your officers, Governor—release certain prisoners now held for complicity in their

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crimes.

An examination of the Southern cotton crop, recently made by direction of the New Orleans Cotton Exchange, shows that in the States of Texas, Louisiana, Arkansas, Mississippi, Georgia and Tennessee, the crop will probably be nearly twenty-five per cent. less than it was last year. At the same time the grain crop in the States above named will probably be about twenty-five per cent. larger than the grain crop of 1870. There is no reason for the South to complain of these figures. Cotton will command, because of its comparative scarcity, a larger price than heretofore, and grain will be plentiful and cheap. The actual result of the present condition of the cotton and grain crops will prove more beneficial to the South than a large crop of cotton and a smaller crop of grain could have proved. Perhaps the planters will be taught by it to plant hereafter more grain and less cotton than they have been in the habit of planting.

The Necessity for a Convention—Speaker Jarvis.

We continue this morning our extracts from the speech of Speaker Jarvis upon the necessity for a Convention. The point discussed is the reorganization of the judiciary of North Carolina. The incompetency, partisanship and corruption of our Judges are the fruitful sources of most of the disorders which have prevailed in this State. If there existed no other reason the absolute necessity for a change of judicial officers would alone justify the call of a Convention. Mr. Jarvis thus refers to this division of his subject:

VI. The sixth and last necessity for a Convention that I propose to notice is the necessity of reorganizing the present judiciary of North Carolina. I do not mean to say that all the Judges of the State ought to be displaced. I only mean to lay down this broad principle that when you find a competent, faithful officer he ought to be retained, and when you find a worthless one he ought to be displaced without any regard to his politics. This is the principle by which I shall be guided.

Now I do, I mean to say that all of the Judges are either corrupt, dishonest or incompetent, but I will say that the disgraceful conduct of some, the dishonesty of others and the incompetency of many have well nigh brought the whole judiciary of the State into contempt. I do not hesitate to say furthermore that this dragging down of the judiciary has been one of the chief causes of the disorder that has existed in certain localities. And why do I say so? I argue upon general principles of human nature. If one would be a wise legislator and promote the best interest of his people he must respect the prejudice of that people. If that prejudice is wrong it's better to educate in the right direction than to ride rough-shod over them. These are truisms and cannot be disputed.

Now the people of North Carolina have had from their earliest history a certain prejudice which of late has been ignored, and disorder, in some sections, has been the result. The prejudices of the people is, they have always demanded that their officers should be honest, faithful and competent. Especially did they demand that their judges should be men learned in the law, but men of pure and irreproachable character. We must remember hearing out people, in my boyhood, speak of the men who were to sit in judgment upon their lives, their liberties and their property with a reverence second only to that with which they speak of him who is to sit in judgment upon their eternal destiny. I can scarcely reckon the esteem in which our people held their judges, till that esteem was forfeited by the bad conduct of some of the judges themselves.

Now place over such a people as ours, thoroughly imbued with these prejudices, judges who are known to be either incompetent, or men of bad character, and what is the natural result? Let a judge be guilty of the least appearance of judicial corruption, and see how our people detect him. Let him wear the judicial ermine to-day and rant upon the political hustings to-morrow, and how they leath him.

While he thus hangs the people upon whose interest he is to sit in judgment the next hour let him be told in his presence by a member of his own party, that "instead of going through the farce of meting out justice to these people, he himself ought to be in the penitentiary, and then tell me in what esteem will such a people hold such a judge. Will human nature itself permit them to have anything but a contempt for him?"

Now, as far as people have a contempt for an officer and an aversion to the man, they cannot resist a feeling of rebellion and aversion to the law he executes. The people have no confidence in his integrity and therefore no confidence in the justness of his decisions. When the confidence of the people in the integrity of a public officer is destroyed his usefulness is destroyed, and he ought to resign, and for this reason it is the duty of every citizen to uphold their public officers and defend their character when assailed, as long as a proper regard for truth will permit them to do so. But when his conduct becomes indefensible the people will abandon him. If he then persists in forcing obedience to the law, which he himself has outraged, trouble is inevitable, unless prevented by the greatest forbearance of the people.—If this state of affairs is long continued, the people, disgusted with their bad officials and in contempt of law, will not be long in taking the law into their own hands to punsh crime, to avenge wrongs, to protect the weak and uphold the right, forgetting or not caring that in so doing they may become as criminal. When this occurs you have a state of lawlessness, just such as we have had in some of the counties of this State. Like cause produce like results. Justice with bold and law powerful have produced troubles in other countries. It has done it in ours. While we regret it, we need not wonder at it. It is one of the natural results flowing out of the degradation of the judiciary, the corruption of the times, and injustice of our rulers.

While I have thus assigned, as I think, a rational cause for much of the disorder that has existed in some sections of the State, and which is now being detailed in the other end of the capitol, I do not mean to be understood as in any manner endorsing the means that have been resorted to by those who have undertaken to correct evil-doers. One bad habit leads to another. So these disguised, self-constituted ministers of justice have become perpetrators of wrong and for these wrongs they must some day atone. Every man in this land of ours accused of crime has the right to be faced by his accuser in open court, informed of the nature of his offence and tried by a jury of his country. The man who undertakes to deny him this right is an enemy to good government.—If the courts fail in their duty it does not furnish a sufficient cause for setting up another tribunal not known to the law.—

But it is better to endure the evil, whatever it may be, till it can be corrected by the lawful and peaceful means of the ballot box.

Never having had any connection or sympathy with any secret organization by whatever name called since I was a school boy, I have thought it proper to say this, being connected as it is with the subject immediately under discussion; for I believe if you will dispose all the bad judges in the state and put more upon the bench to try to succeed the Gators, the Hendersons, the Reffins, and the Gilliams, you will hear no more of Ku Klux in North Carolina.

This, sir, is no idle tale that I am telling. As long as the integrity of the judiciary is maintained, the liberties of the people are safe. But when this mighty bulwark of civil liberty is leveled or swept away, the rights of the citizen are in peril. Who does not know this? And knowing it, what genuine North Carolinian would not welcome back the judiciary that shed such lustre upon his State? A convention can give it to me.

There are many other features in our present constitution and form of government that need changing, and to change any one of which would justify the calling of a convention. I might refer you to our present expensive system of county government and compare it with the old and cheaper system. I might point out to you the many new and unnecessary offices created by this constitution. I might compare the expense of the present State government with the old, but time fails me. I have already told you much longer than I intended.

The Objections to a Convention—Speaker Jarvis.

In continuation of the admirable speech of Speaker Jarvis, we give that portion of this morning which answers the objections urged to the holding of a Convention. The rights of the colored citizens, the homesteads and the expense attending the Convention, are in turn treated in a masterly manner. The questions discussed are practical ones, and the facts and figures adduced cannot be gainsaid by the opponents of the measure. We hope those who fear the loss of homesteads and dread the expense attending the Convention will read this portion of the speech:

There is a class of persons among us that object to a Convention called in any manner. They are generally office-holders or the friends of office-holders. The assigned reasons for objecting to a Convention, as I have heard them from time to time given upon this floor, may be fairly stated as follows. The anti-Conventionists say—

1st. A Convention will endanger the colored man.

2d. A Convention will put the home-stead of the poor man in peril.

3rd. A Convention will be expensive.

These three, I believe, comprise the only objections I have heard urged against a Convention, and these I propose to answer in the order in which I have stated them.

1st. If it succeeded in showing you in the opening of my speech that there is such a thing as a practically restricted Convention, and that the proposed Convention will be such a one, then it will be sufficient for me to say that the Convention will be forbidden by the people, if called, from interfering in any manner with the rights of the colored man as now fixed by law.—But I will go further and state emphatically that if the Convention to be called was unrestricted, and if the Convention desired to deprive the colored man of his rights, it could not do it, for the reason that he is not dependent for his rights upon the Constitution of this or any other State. His rights are as far as man can see, and a voter is secured to him by the Constitution of the United States, over which no State Convention can have any sort of control.

2d. The second objection these gentlemen urge is that the homestead will be greatly endangered by the assembling of a Convention. If any man really has any fear about his homestead being in danger from a Convention these fears ought to be allayed, if he be a reasonable man, when he remembers that before any delegate can take his seat in that Convention he must swear that he will not, either directly or indirectly, "offer or propose any amendment to, or alteration of, or in anywise interfere with, repeal or modify the homestead and personal property exemptions as provided for in article X of the Constitution of this State." Can not and will not the people of North Carolina elect delegates to the Convention who will faithfully keep his oath? If they do, the homestead is in no danger. But if any delegate should so far forget himself and the confidence reposed in him as to interfere with the homestead, the work of the Convention must be submitted to the people and by them ratified before it has any binding force or effect. So that if the Convention does not protect them, have ample opportunity to protect themselves.

It is, however, urged by Mr. Phillips, that while the Convention cannot interfere with the homestead, it will turn out the present judges and put in a set that will reverse the decision made by the present Supreme Court Judges on the homestead question. I will not undertake to say how a judge will decide any question that may be brought before him a year hence. But this I will say. It has always been the policy of our courts to stand by what has been decided. Following this time-honored principle, it is my opinion that you could not put a set of judges upon the bench that would disturb the present decision. But is it true that the people are dependent for their homesteads upon the judicial life of Associate Justices Rodman, Dick, Read and Settle? For that is substantially the suggestion. If it be true, by what an uncertain tenure do the people to-day hold their homesteads. The winged messenger of death has but to clip "the brittle thread of life" and the homesteads of the people are gone. Let a seat in the United States Senate or the illments of a foreign mission or some other good paying place, but entice it to the suggestion of the gentleman from Wake, Mr. Phillips, to travel far and wide to homesteads. And in fact, if the argument of the gentleman proves anything, it proves only much for him; for, by the Constitution, as it is, the term of office of these judges expires in 1876, and, if the gentle- man be correct, when they go out of their office the people go out of their homes.

His suggestion is the merest claptrap.—"There is nothing in it." The people hold their homesteads by no such uncertain tenure. The homestead law of this State is an accepted fact, approved by the great body of our people. The very men who are most active to secure a Convention are the representatives of the men most interested in homesteads, for they are the persons that own them. Is it reasonable to suppose that these men would do anything to insure themselves? Certainly not. The man who undertakes to overturn the homestead laws of this State will go down in utter failure. Why, as much as the gentleman himself differs with the Supreme Court in its decision upon the homestead, I would not fear to trust him on the bench. He would not dare to undertake to reverse the decision. It would be the case has been decided. It would be better to stand by it.

No, sir, the homesteads are in no sort of danger from a Convention. But I will tell you from what quarter danger may be ex-

pected. Let the proposition to call a Convention be voted down, and let the Legislature, in obedience to what it may consider its constitutional obligation, put into the hands of the Sheriff of the State a tax list that calls for five per cent. of all the property of the State to be collected and paid into the public treasury in 1872, and then tell me how many men will be able to save their homesteads. The October winds of 1872 will not more certainly strew the earth with the falling leaves of autumn than will the homesteads of our people topple and fall beneath the Sheriff's hammer.

The time was when the Supreme Court, after having made a humane decision in the homestead case, could have made a second decision that would have secured the homestead against all possible danger from any and every quarter. But in that crisis in that hour of peril to the people, the judges hesitated, doubted, and finally failed. They first decided that the Legislature was limited in its power of taxation by the Constitution. In this decision I rejoiced, for in it I saw my own views endorsed and the property of the State protected. Had they stood by it, it would have been well with us to-day. But as, before that decision was published it was to the judges themselves reversed, and the Legislature turned loose upon the people. From their second decision I appeal to the world.

3d. The third and last objection to be answered is of the expense. This is by far the strongest position taken by those who oppose a Convention, for there is some truth in it. A Convention will cost something. But let us see what it will probably cost. I will make my estimate very large so as to be on the safe side, and it is as follows:

121 delegates at \$5 per day \$ 605

4 clerks at \$5 per day 20

2 doorkeepers at \$5 per day 10

2 messengers at \$20 per day 5

Conveniences, including printing, stationery, servant hire, &c., &c., per day 10

Total expense per day \$ 750

Now suppose the Convention sits thirty days, and it will not sit longer, and you have the cost for *de die* and contingencies 22,500

Add to this for mileage 7,500

And we have the entire cost of the Convention to be \$30,000

I think my estimate are all sufficiently large. I shall therefore take \$30,000 to be the probable cost of the Convention. Now, there are about 200,000 voters in North Carolina. Divide the cost of the Convention up among them all and it will be just fifteen cents apiece. Who would not give fifteen cents to get clear of the townships of? But suppose the expense of the Convention is all taxed upon the property, as it will be the case, then let us see what will be on the hundred dollars worth of property. The taxable property of the State is, as before given, \$123,350,000. To raise by taxation \$30,000 from \$123,350,000, requires a tax of two and a half cents on the hundred dollars worth of property. So if a Convention is called, the property of the State must be taxed two and a half cents on the thousand dollars worth of property to pay for it. What man owning a thousand dollars worth of property would not give twenty-five cents to avoid the payment of the interest on the public debt? What man, owing one hundred dollars worth of property, would not give two and a half cents to have the good things of our old Constitution restored to us and the law of the present one taken away.

4th. A Convention will endanger the colored man.

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